

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

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<b>Interprofession du Gruyère, et al.,</b>	:	
Plaintiffs,	:	
v.	:	Civil Action No. 1:20cv01174-TSE-TCB
<b>U.S. Dairy Export Council, et al.,</b>	:	
Defendants.	:	
	:	

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**[PROPOSED] ORDER**

This matter is before the Court upon Defendants/Counterclaim-Plaintiffs, U.S. Dairy Export Council, Atalanta Corporation, and Intercibus Inc. (collectively, “Defendants”), Motion for Summary Judgment. Having considered the motion and the briefs and evidence submitted by the parties, the Court **GRANTS** the motion.

THEREFORE, it is hereby ORDERED that:

1. Plaintiffs’ claims in their Amended Complaint are hereby dismissed with prejudice;
  2. Defendants are granted summary judgment on their counterclaims in the Answer and Counterclaims;
  3. The August 5, 2020, decision of the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office is affirmed; and
  4. The U.S. Patent and Trademark Office is ordered to maintain the refusal of registration in U.S. Trademark Application Number 86/759,759.
- Alexandria, Virginia

\_\_\_\_\_, 2021

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T.S. Ellis, III  
United States District Judge

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